

REMARKS

Claims 1-11 were pending and stand rejected. Claims 1-11 have been cancelled. New claims 12-23 have been added.

Rejections Under 35 U.S.C. § 112, second paragraph

Claims 3 and 7-11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite and/or incomplete for omitting essential steps. Since these claims have been cancelled, this rejection is moot.

Rejections Under 35 U.S.C. § 101

Claims 7-11 are rejected under 35 U.S.C. § 101 as being directed to unpatentable subject matter. Since claims 7-11 have been cancelled, this rejection is moot.

Rejection Under 35 U.S.C. § 102 (e)

Claims 1-11 stand rejected under 35 U.S.C. § 102 (e) as being anticipated by Vivona (U.S. Patent No. 5,960,407). Since Applicant hereby cancelled claims 1-11, this rejection is moot. However, in order to expedite the prosecution of this application, Applicant will discuss the differences between the claimed invention, as recited in new claims 12-23, and Vivona.

New claim 12 recites:

A computer-implemented method for providing a market price for products sold over a period of time, the method comprising:

accessing over a computer network an on-line marketplace to collect sales data for a plurality of products sold over a period of time, the sales data including an actual sales price of each sold product and a product description;

using the collected sales data to generate for each of a plurality of products similar to the sold products a market price for the product;

receiving from a user a request for a market price of an identified product;
and

providing the market price of the identified product to a user from the generated market prices.

Generally, claim 12 describes a computer-implemented method for providing a market price for products sold over a period of time. Sales data for a plurality of products sold over a period of time is received from an on-line marketplace. Market price for each of the plurality of products is generated based on the sales data for similar sold products, and the market price is provided to a user in response to the user's request. Thus, the claimed invention advantageously allows a user to obtain a current market value of an identified product based on historical sales data for similar products. Claim 18 recites a system adapted to perform the steps recited in claim 12. Claim 23 describes a computer-implemented method for providing a market price for used products sold over a period of time. Claim 22 recites a computer program product having a computer program code for performing the steps recited in claim 12.

Vivona does not disclose or suggest the claimed invention. Vivona discloses a mechanism for providing to a user a market price for products and services that are **offered for sale** (emphasis added). Vivona accesses a database that stores classified advertisements for products and services, and uses the advertised price to generate a market price for products and services similar to the advertised products and services (col. 3, lines 20-40). Vivona does not disclose or suggest "accessing over a computer network **an on-line marketplace to collect sales data for a plurality of products sold over a period of time**", as claimed (emphasis added). Indeed, Vivona addresses the problem of finding a low-cost solution for determining a market price for products and services (col. 3, lines 5-10). Using classified advertisements is one such low-cost solution proposed by Vivona. In contrast, accessing an on-line marketplace, such as an Internet auction site, to collect sales data for sold products is a more expensive mechanism for determining a market value. Using such a mechanism would thwart the mere intention of Vivona to provide a low-cost solution to generate a market price for products and services. Thus, since Vivona is only concerned with

generating a market price based on **offers for sale** rather than **sales data for sold products**, Vivona provides no means for accessing an on-line marketplace for historical sales data for sold products. Hence, there is no suggestion in Vivona to access an on-line marketplace to collect sales data for a plurality of products sold over a period of time. Accordingly, claims 1, 18, 22, and 23 are patentable over Vivona.


Claims 2-17 and 19-21 depend either directly or indirectly from independent claims 1, 18, 22, and 23 and derive their patentability from the independent claim from which they depend.

Conclusion

For the above reasons, Applicants respectfully submit that newly added claims 12-23 are allowable over the cited art of record and respectfully request that the Examiner allow the case.

Respectfully submitted,
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